



Form 65 (version 2)

Work Health and Safety Act 2011 – Pt 5, Div 7A

NOTIFICATION OF A WHS DISPUTE**Pursuant to Division 7A of Part 5 of the *Work Health and Safety Act 2011*****COURT DETAILS**

Court	Industrial Relations Commission of NSW
Jurisdiction	Commission
Registry	
Case number	2026/274918

TITLE OF PROCEEDINGS

Notifier	Géraldine Webster
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Respondent	Lycée Condorcet the International French School of Sydney Ltd (ABN 68 003 977 160)
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FILING DETAILS

Filed for	Notifier
Representative	Nadia Gubbay-Nemes Independent Education Union of Australia NSW/ACT Branch
Contact number	02 8202 8900
Contact email address	nadia@ieu.asn.au ; liamc@ieu.asn.au
Respondent contact name, telephone and email	Craig Ashe, Head of Human Resources 02 9344 8692 craig.ashe@condorcet.com.au

DETAILS OF DISPUTE

Workplace where dispute exists	Lycée Condorcet the International French School of Sydney 758 Anzac Parade Maroubra NSW 2035
WHS matter the subject of the dispute	☐ Work group determination matter. ☐ Work group variation matter. ☐ Access to information by a health and safety representative under s 70(1)(c). ☐ A request by a health and safety representative for a person assisting the representative to have access to the workplace under s 70(1)(g). ☐ A matter mentioned in s 72(2)(a) or (b) or (4) relating to training for a health and safety representative. ☐ A health and safety committee matter. ☒ A matter about work health and safety that is an issue to which Division 5 applies. ☐ An issue about cessation of work under Division 6.
Has an inspector been appointed to assist the parties to reach an agreement or resolve a dispute?	☐ Yes ☒ No
If yes – has there been a decision made by the inspector to exercise, or not exercise, compliance powers under Part 10, which is subject to review under Part 12?	☐ Yes ☐ No

DESCRIPTION OF DISPUTE AND RELIEF SOUGHT

Note: Set out below a summary of the dispute and the relief sought. Please **be brief** – you will have the opportunity to provide more details to the Commission at the conciliation and during any arbitration.

Pursuant to s 102C(3) of the *Work Health and Safety Act 2011* (NSW) this notice is required to be published on the Commission's website as filed. Accordingly, do not attach documents or include material that is inappropriate to be published on the Commission's website, including personal information of individuals such as email addresses or phone numbers. Relevant documents that you wish the Commission to have available to it to assist to resolve the dispute should be filed separately after the application is filed in accordance with Practice Note No. 37.

- 1 Géraldine Webster (**Notifier**) is an employee of Lycée Condorcet the International French School of Sydney Ltd (**Respondent**) who performs work as a School Assistant at the Respondent's workplace.
- 2 On 6 February 2026, during the course of her employment, the Notifier experienced an incident, which was a physical and psychosocial hazard involving a Teacher

employed by the Respondent, referred to in this notification as Employee X (**Initial Incident**).

- 3 Subsequent to the Initial Incident, the Notifier has also been subject to, and raised with the Respondent, further incidents which have occurred. These incidents (of which there are at least 10) have caused harm, continue to cause harm and have a reasonably foreseeable risk of future harm.
- 4 To date, the Initial Incident and one further incident have been investigated and substantiated. It remains unclear whether the any other reported incidents have even been subject to an investigation or resulted in further risk assessments being undertaken by the Respondent.
- 5 The Notifier considers that the Initial Incident and further incidents which had arisen were, jointly and severally, hazards which the Respondent was under a duty to eliminate and/or mitigate.

Breach of Duty

- 6 The Respondent has failed to meet their primary duty of care obligations in accordance with s 19 of the *Work Health and Safety Act 2011* (NSW) (**WHS Act**), to ensure, so far as is reasonably practicable, the health and safety of workers engaged while the workers are at work.
- 7 The Respondent has also failed to eliminate the hazard outlined above or, to the extent that this is not possible, mitigate it to the extent the Notifier is able to work in a safe workplace, pursuant to the *Work Health and Safety Regulations 2025* (NSW).
- 8 In doing so, the Respondent continues to expose the Notifier to reasonably foreseeable hazards that have not been appropriately managed and identified by the duty holders.
- 9 As a result, the Notifier is continually being exposed to ongoing and further physical and psychosocial health and safety risks.
- 10 At all stages since the initial incident report, the Respondent has not treated the matter with any sense of urgency.
- 11 The Notifier and the IEU, as their representative, have made several attempts in accordance with s 81 of the WHS Act to discuss this issue with the Respondent and allow for an appropriate resolution.
- 12 The parties have not been able to resolve the WHS matter, as defined in s 102A of the WHS Act, following discussions.

- 13 It is asserted that the Respondent has not made all reasonable efforts to achieve a timely, final and effective resolution of the matter.
- 14 The Notifier considers the following parties to be a source of the hazard:
- a. Employee X; and
 - b. The Respondent and its relevant officers.
- 15 Employee X has remained in the workplace since the reporting of the Initial Incident and throughout the course of any investigations, risk assessments conducted by the school and despite substantiated investigations into Employee X's conduct.
- 16 Employee X was provided directions by the Respondent intended to mitigate the Notifier's exposure to the hazard and reduce the associated risk. Despite this, Employee X has not adhered to the risk mitigation measures and has continued to breach the directions.
- 17 The continued conduct of Employee X to date causes serious doubt as to whether any additional measures will appropriately protect the Notifier from the hazard.
- 18 The Respondent has shown no indication that it intends to eliminate the hazard and, by its own admission, considers the isolation of the hazard from the Notifier to be impossible.
- 19 The Respondent has failed to provide adequate support and risk mitigation measures to the Notifier in the circumstances.

Relief

- 20 The Notifier seeks the Commission make the following orders pursuant to s 102E of the WHS Act:
- a. direct the Respondent to implement measures to protect the Notifier from further harm;
 - b. require the Respondent to make available any and all risk assessments conducted to date in relation to the Initial Incident and any subsequent incidents;
 - c. require Officers employed by the Respondent to undertake relevant training in Work Health and Safety; and
 - d. any other orders the Commission deems appropriate.

LISTING DETAILS

The parties will be advised of the date, time and place when the Commission will list this matter for directions. Any enquiries should be made to the Industrial Relations Commission Registry on 02 8688 3516.

SIGNATURE

Signature of Carol
Matthews



Capacity

Secretary, Independent Education Union of Australia
NSW/ACT Branch

Date of signature

3 July 2026

COMPLIANCE WITH PRACTICE NOTES

Parties must comply with the Practice Notes of the Commission. The Practice Notes may be found at the following website:

<https://www.irc.nsw.gov.au/irc/practice-and-procedures/practice-notes.html>

REGISTRY ADDRESS

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